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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,193	06/19/2003	George B. Hanna	030102/BLL-0091	8787

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EXAMINER

BARNIE, REXFORD N

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/600,193	Applicant(s) HANNA ET AL.	
	Examiner REXFORD N. BARNIE	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-8,10-13 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1,2,4-8,10-13 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Rexford N. Barnie
REXFORD BARNIE
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 5-8 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik (US Pat# 6,324,269) in view of Jain et al. (US Pat# 6,282,274).

Regarding claim 1, Malik teaches a method and system for billing remote calls from a remote station other than a home phone as if it was made from a home phone comprising: calling an assigned telephone number to assign a calling plan service billed to a home phone, responding to a calling plan service announcement by entering a home number and entering a telephone number to complete a call in (see col. 2 lines 1-22, col. 6 lines 55-67). Furthermore, according to Malik teaches that a caller can input a home number and a PIN after which a destination number can be dialed out. Furthermore, according to (see col. 10 lines 52-54), one can bill long distance calls also to a third party number.

Malik fails to teach giving the user the options to bill calls to a selection of billing options supported by the network system.

Jain teaches a communication system wherein a user can be calling from a remote telephone and yet be able to bill calls to a business account or personal account or general account by selection of a code in (see col. 7 lines 50-65, col. 11 "table").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Jain into that of Malik thus giving a user the flexibility to use one of a plurality of accounts with its inherent calling plans as desired when making a call for convenience purposes and to allocate charges as desired to different account for different reasons.

Regarding claim 2, The combination teaches that one can make a call remotely and have the call billed to one's account

Regarding claim 4, The examiner takes official notice that it's well known to alert a user to the fact that a number doesn't exist or been disconnected or a call can't be connected as dialed or a password is incorrect for call completion or insufficient funds.

Regarding claim 5, Malik teaches a method and system for billing remote calls from a remote station other than a home phone as if it was made from a home phone comprising: calling an assigned telephone number to assign a calling plan service billed to a home phone, responding to a calling plan service announcement by entering a home number in response to a prompt and entering a telephone number to complete a call in (see col. 2 lines 1-22, col. 6 lines 55-67). Furthermore, according to Malik teaches that a caller can input a home number and a PIN after which a destination number can be dialed out. Furthermore, according to (see col. 10 lines 52-54), one can bill long distance calls also to a third party number.

Malik fails to teach giving the user the options to bill calls to a selection of billing options supported by the network system in response to a prompt.

Jain teaches a communication system wherein a user can be calling from a remote telephone and yet be able to bill calls to a business account or personal account or general account by selection of a code in (see col. 7 lines 50-65, col. 11 "table).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Jain into that of Malik thus giving a user the flexibility to use one of a plurality of accounts with its inherent calling plans as desired when making a call for convenience purposes and to allocate charges as desired to different account for different reasons.

Regarding claim 6, The combination teaches the ability to select an account with an inherent plan to which a call can charged. Therefore, it would have been obvious to provide any combination of accounts and supported by the network for billing purposes.

Regarding claims 7-8, The combination teaches the claimed subject matter.

Regarding claim 10, The examiner takes official notice that it's well known to alert a user to the fact that a number doesn't exist or been disconnected or a call can't be connected as dialed or a password is incorrect for call completion or insufficient funds.

Regarding claim 11, Malik teaches a method and system for billing remote calls from a remote station other than a home phone as if it was made from a home phone comprising: calling an assigned telephone number to assign a calling plan service billed to a home phone, responding to a calling plan service announcement by entering a home number in response to a prompt and entering a telephone number to complete a

call in (see col. 2 lines 1-22, col. 6 lines 55-67). Furthermore, according to Malik teaches that a caller can input a home number and a PIN after which a destination number can be dialed out. Furthermore, according to (see col. 10 lines 52-54), one can bill long distance calls also to a third party number.

Malik fails to teach giving the user the options to bill calls to a selection of billing options supported by the network system in response to a prompt.

Jain teaches a communication system wherein a user can be calling from a remote telephone and yet be able to bill calls to a business account or personal account or general account by selection of a code in (see col. 7 lines 50-65, col. 11 "table).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Jain into that of Malik thus giving a user the flexibility to use one of a plurality of accounts with its inherent calling plans as desired when making a call for convenience purposes and to allocate charges as desired to different account for different reasons.

Regarding claims 12-13, the combination teaches authentication of a PIN (see Malik, col. 2, col. 6 lines 55-67), billing a call to a home plan and the possibility of selecting an account to which a call should be billed is taught by Jain.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Malik (US Pat# 6,324,269, cited by applicant) in view of Jain and further in view of Kruger et al. (US Pat 2003/0152211).

Regarding claim 15, the combination fails to teach the claimed subject matter but Kruger teaches selecting a numbering plan with the use of indicators wherein these indicators can comprise a selection of whether a call is an international or not in (see section 0038-0040) during call setup.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kruger into that of the combination thus making it possible to complete calls as desired and also, billed them accordingly.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N BARNIE** whose telephone number is 571-272-7492. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER
REXFORD BARNIE
09/26/05


REXFORD BARNIE
PRIMARY EXAMINER